

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

KATRINA MAXWELL,	:	CIVIL ACTION NO.
Plaintiff,	:	JUDGE
v.	:	<i>Document Electronically Filed</i>
TATE & KIRLIN ASSOCIATES, INC.,	:	
Defendant.	:	

**NOTICE OF REMOVAL ON BEHALF OF DEFENDANT, TATE & KIRLIN
ASSOCIATES, INC.**

Now comes Defendant, Tate & Kirlin Associates, Inc. ("Defendant"), pursuant to 28 U.S.C. §§ 1331, 1367, 1441, and 15 U.S.C. § 1692k, and files this Notice of Removal, and in support hereof sets forth the following grounds:

1. On or after March 29, 2018, Defendant was served with Plaintiff's Complaint, a copy of which is attached hereto as part of Exhibit "A," in an action entitled, Katrina Maxwell v. Tate & Kirlin Associates, Inc., filed of record with the Clerk of Superior Court of Bergen County, Special Civil Part, New Jersey, under Docket No.: BER-DC-004620-18.

2. Plaintiff's Complaint purports to set forth a cause of action under the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 *et seq.*

3. This Court has original jurisdiction over Plaintiff's cause of action based on 15 U.S.C. §§ 1692, *et seq.*, as set forth in 28 U.S.C. § 1331 and 15 U.S.C. § 1692k(d). Pursuant to 28 U.S.C. § 1441, therefore, the civil action pending in the Superior Court of Bergen County, New Jersey, is removable to this Court.

4. Copies of all process, pleadings and orders served upon Defendant in this action are attached hereto as Exhibit "A."

5. Thirty (30) days have not yet expired since receipt of Plaintiff's Complaint.

6. Defendant has provided written notice of the filing of this Notice of Removal to Plaintiff by ordinary mail on this date and has also forwarded a Notice for filing to the Clerk of the Superior Court of Bergen County, New Jersey, regarding this Notice of Removal.

WHEREFORE, Defendant prays that the above-captioned action now pending in the Superior Court of Bergen County, New Jersey, be removed therefrom and placed on the regular docket of the United States District Court for the District of New Jersey.

Respectfully submitted,

**ECKERT, SEAMANS, CHERIN &
MELLOTT, LLC**

Dated: April 24, 2018

By: /s/ Nicholas M. Gaunce
Nicholas M. Gaunce

CERTIFICATE OF FILING AND SERVICE

I, Nicholas M. Gaunce, hereby certify that I caused a true and accurate copy of the foregoing to be filed electronically through the Court's ECF system and served upon the below by e-mail and regular mail:

Daniel Zemel, Esq.
Zemel Law, LLC
78 John Miller Way, Suite 430
Kearny, NJ 07032
Attorneys for Plaintiff, Katrina Maxwell

and the below via e-Courts:

Clerk, Special Civil Part
N.J. Superior Court – Bergen County
10 Main Street
Hackensack, NJ 07601

Dated: April 24, 2018

By: /s/ Nicholas M. Gaunce
Nicholas M. Gaunce